IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FIFTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 4332 of 2004

Between:

PES Engineers Private Limited Contract Workers Union, rep., by its General Secretary, Sri Y. Nageswara Rao, S/o.Y. Yogaiah,
aged 30years, occupation: Worked as Helper Grade-I, presently unemployed, R/o. Mahaboobnagar District.

... PETITIONER.

AND

1. A.P. Transmission Corporation Limited rep., by its Vice Chairman and Managing Director, Vidyuth soudha, Khairatabad, Hyderabad.

2. PES Engineers, Private Limited rep., by its Managing Director, I Floor, Pancom Chambers, 6-3-1090/1/A, Raj Bhavan Road, Somajiguda, Hyderabad-500 082.

...RESPONDENTS.

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring that the member workers of the petitioner Union namely, 1. Y. Nageswara Rao; 2] A. Karnaiah; 3]Md. Usman; 4] M. Srinivasulu; 5] U.Srinu; 6] V.Narasimha; 7] T. Anjaneyulu; 8] S. Basha; 9] Ch. Ravi; 10] R. Mallikarjuna Rao; 11] D.Kumar; 12. Ch. Chevaraiah; 13. D.Nagaraju; and 14.K.T.Hanifa; are entitled to be considered for regular absorption in the maintenance work of the Board, as and when the said vacancies are filled up on regular basis by the first respondent.

Counsel for the Petitioner: B.G.RAVINDERA REDDY.

Counsel for the Respondents: MR. RAVINDRANATH

The Court made the following:

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ORDER:

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Heard the learned counsel for the petitioner.

It is stated that the persons named in the body of the memorandum of the writ petition are the members of the petitioner-Union herein and they worked as contract labourers for a period of five years. It is stated that the first respondent is getting the maintenance works by engaging certain workers directly without giving it on contract basis. If it be so, the members of the petitioner also are entitled to work on maintenance work on daily wage basis on par with the other workers whom the first respondent engaged in service. As the members of the petitioner are having experience in doing the maintenance work, the first respondent may also consider the case for engaging them in the maintenance work on par with others.

Accordingly, the writ petition is disposed of directing the fist respondent to consider the case of the members of the petitioner-union to engage them in the maintenance works subject to the availability of the work. If the work is given to some other contractor, the question of engaging the petitioner by the first respondent does not arise, but if the first respondent alone is getting the maintenance work done by engaging the contract labourers, the case of the petitioner-Union may also be considered. No costs.

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5-8-2004

dvs/shr

To

1. The Vice Chairman and Managing Director, A.P. Transmission Corporation Limited, Vidyuth soudha, Khairatabad, Hyderabad.

2. The Managing Director,PES Engineers, Private Limited, I Floor, Pancom Chambers, 6-3-1090/1/A, Raj Bhavan Road, Somajiguda, Hyderabad-500 082.

3. Two C.D.copies.